CONFERENCE ON DISARMAMENT

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EGYPT

Declaration on the Comprehensive Nuclear Test Ban Treaty

The Ad Hoc Committee on a Nuclear Test Ban has been negotiating intensively since the 1994 Session of the Conference on Disarmament with the aim of concluding a Comprehensive Nuclear Test Ban Treaty (CTBT). Document CD/NTB/WP.330/Rev.2 contains a draft Treaty which reflects the assessment of the Chairman of the Ad Hoc Committee on the results of the negotiations. The Egyptian delegation is one of those which put on record their positions regarding the text despite the fact that it contains various constructive provisions which enhance peace and security together with safeguarding humanity as a result of banning nuclear test explosions.

Egypt is willing to go along with the emerging consensus to transmit the Draft Comprehensive Test-Ban Treaty to the United Nations General Assembly. This flexible position should not be interpreted as indicating Egypt's full satisfaction with the text. We feel it is important for us to lay out clearly our major concerns regarding the text; concerns which will be taken into consideration along with the positive aspects contained in the text while the treaty will be thoroughly assessed by the Egyptian authorities until its opening for signature .

Egypt is first and foremost concerned about the fact that the current draft text does not clearly place the CTBT into an overall process of nuclear disarmament. The 'Preamble' to the treaty should have contained clear and unambiguous references to the objective of achieving total nuclear disarmament and to the fact that the CTBT is but one step within a phased framework of nuclear disarmament; a framework which aims at achieving complete nuclear non-proliferation, both at the horizontal level and at the vertical level, and nuclear disarmament by capping any further qualitative development of nuclear weapons.

In this context one must also bear in mind the advisory opinion of the International Court of Justice issued on 8 July 1996 which unanimously recognized that " *there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control*" The fact that consensus could not be reached in the Ad Hoc Committee on a reference to a phased framework of nuclear non-proliferation and nuclear disarmament raises significant doubts about the true commitment of the nuclear capable states to these objectives. However, this treaty should be considered as a contribution for the protection of the environment.

On 8 August 1996, then coordinator of the Group of 21, Egypt submitted on behalf of 28 members of the Conference on Disarmament, the "Programme of Action for the Elimination of Nuclear Weapons" as contained in document CD/1419 dated 7 August 1996. Egypt considers that this programme of work intends to compensate the lack of commitments on nuclear disarmament in the draft text of the CTBT. We also believe that this programme should be seriously studied in the Ad Hoc Committee on Nuclear Disarmament to be established, and it has to be taken into consideration in the 51st session of the General Assembly as a follow up to resolution 50/70 P and in the 1997 review process on NPT.

I would like to recall here the statement made by the Ambassador of Australia H.E. Mr. Richard Starr on 16 August concerning the report of the Canberra Commission on the Elimination of Nuclear Weapons . The central message of this report is that the doctrine of nuclear deterrence is militarily redundant and dangerous. We are looking forward to study this report attentively when it will be distributed, but I am sure that this report together with the Programme of Work, will contribute to the international efforts aiming to the elimination of nuclear weapons.

With respect to the 'Basic Obligations' of the treaty in Article I, it is our view that they are, in the text before us, in contradiction with the very title of the treaty which refers to a ***Comprehensive*** nuclear test ban. While the text before us bans nuclear testing in all environments and for all times, it paradoxically does not ban all nuclear testing, restricting itself to explosive testing only. We therefore have before us yet another partial nuclear test ban treaty.

On the important matter of on-site inspections, Egypt is of the view that these should, once requested by a state party, proceed in the smoothest possible manner and only be halted if it is demonstrated that the request is baseless. The 'green light' approach endorsed in the draft treaty does not reflect Egypt's position and does not, in our view, serve the best interest ofthe international community to ensure full compliance with the provisions of the treaty.

The use of national technical means (NTM) also represents a matter of misunderstanding. We agree that such means should have their place in the treaty and can be useful as a complement to the International Monitoring System, with the necessary guarantees which caution against the potential abuse or selective and partial use of NTMs. However, the interpretation of NTMs by the Chairman of the Ad Hoc Committee in his statement delivered before the Committee on 9 August 1996 would provide additional assurances against the misuse or abuse of NTMs.

The Chairman's statement of 9 August 1996 also contained an understanding by the Chairman whereby it was noted that Article XIV, paragraph 2 of the draft treaty regarding the "Entry into Force" did not refer to United Nations Security Council measures in accordance with Chapter VII of the United Nations Charter. This understanding has not been contradicted by the members of the C.D.

Egypt regrets that the Executive Council composition as reflected in the current text does not reserve equitable and balanced treatment for African countries. On numerous occasions during the negotiations Egypt, together with others, has expressed concern over the limited number of Executive Council seats reserved for Africa which is, as compared to other groups, significantly underrepresented. These concerns have been ignored as have those concerning the unprecedented regional group system which has found its way into the CTBT draft text and which divides the world into six regional groups rather than the five we are accustomed to in the United Nations system. Setting up such precedents despite serious

opposition can only affect the credibility of the treaty and limit its chances to achieve universality. In addition the decision-making in the Executive Council (2/3 majority for matters of substance) would paralyze it in comparison with the similar body in the CWC.

These are briefly the major preoccupations that Egypt wished to express with regard to the draft treaty text currently before us. As mentioned above, such remarks will be taken into account when we come to formulate our final position on the treaty.